



2002 6591 Orange Drive Davie, FL 33314 (954) 797-1000

Rural Lifestyle Initiative

Preservation of the Town of Davie's rural and equestrian lifestyle was overwhelmingly approved by Town voters on March 13, 2001. on the north, and the Town's limits to the west and south.

When asked to describe Davie and its rural lifestyle, many responded with visual images which included horses on the trail system, farmers, open spaces, a traditional downtown, a sense of individuality, and locales that are different from the rest of Broward County. In recognition of this image, the Town, over the past two decades, has adopted many proactive planning strategies that have assisted in retaining the Davie image. These strategies include the Western theme along Davie Road, the Eastside Neighborhood Special Zoning District, adoption of the Regional Activity Center land use designation, the Griffin Road Corridor District and Design Guidelines, and a Greenways/Trails system, as well as the creation of the Community Redevelopment Agency, Agricultural Advisory Board, Open Space Committee, and the Davie Water and Environmental Board.

The Town Council, on July 3, 2001, in response to the voters' mandate, initiated a Zoning in Progress to put into place the appropriate legislation to accomplish the wishes of the voters.

The Zoning in Progress area covers over 17 sections and includes approximately 710 acres of vacant land available for residential use at one dwelling unit per acre. The parcels range in size from 59 acres to 200 acres. The Zoning in Progress boundaries cover all properties bounded by Griffin Road on the north, the Florida's Turnpike on the east, University Drive on the west, and Stirling Road on the south. The second area includes properties bounded by Nob Hill Road on the east, 14th Street

The land areas located in the Zoning in Progress area are residential and are designated by the Town's Future Land Use Map as Residential-1, one house per acre. The three zoning districts which encompass this land use category are AG (Agricultural), A-1 (Agricultural), and R-1 (Estate Dwelling District). The intent of these districts is to maintain the rural character of the Town, as well as to protect and to encourage the continuance of a productive agricultural community in Davie. The development of a single family home in these districts may occur on an acre (43,560 square feet) for lands zoned AG (Agricultural) and on a 35,000 square-foot lot (net dry) if zoned A-1 (Agricultural) or R-1 (Estate Dwelling District).

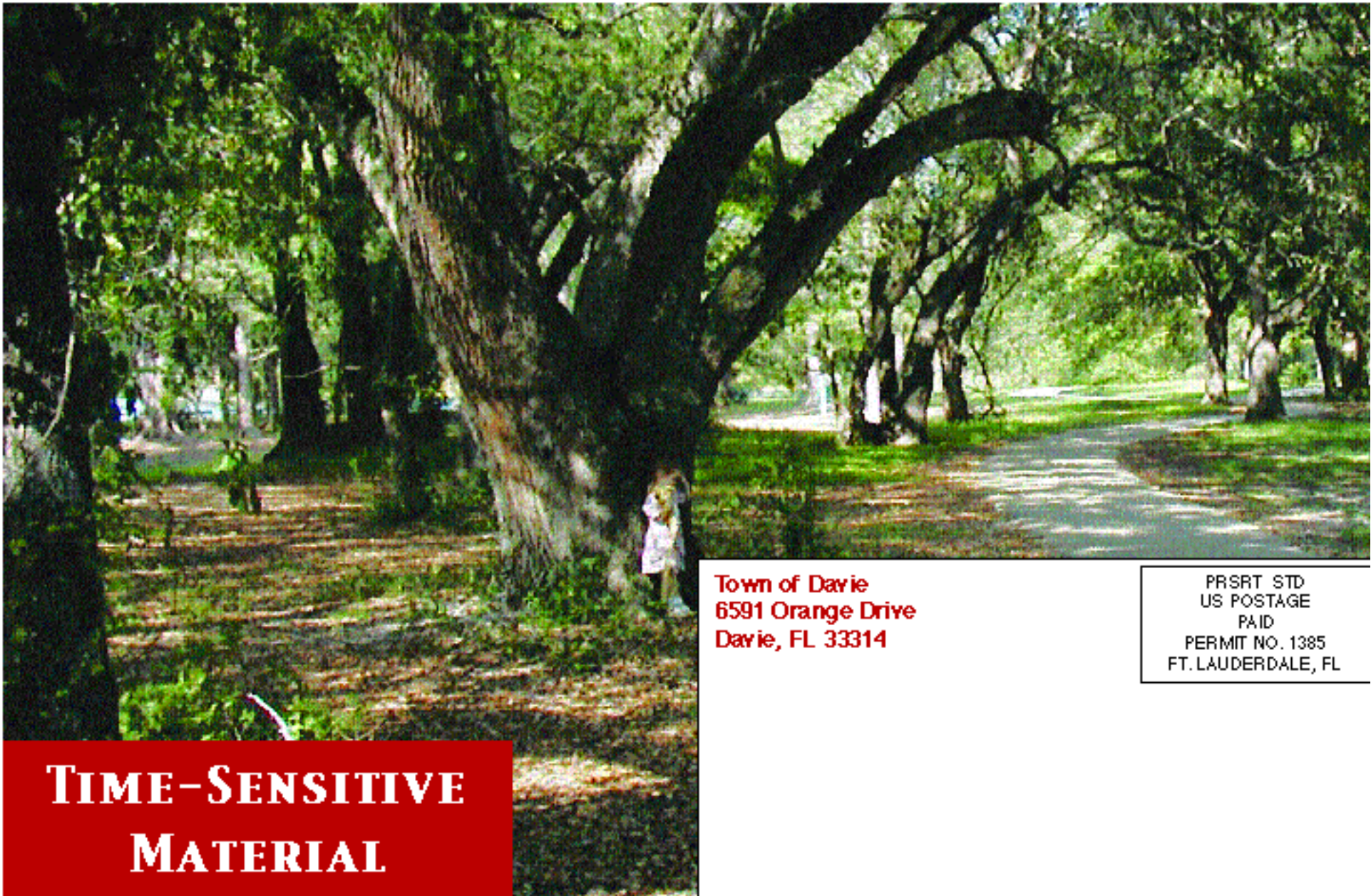
Four public workshops were held by the Town's Planning and Zoning Division on December 11, 2001; February 27, 2002; May 6, 2002; and May 14, 2002. The workshops assisted staff in designing the ultimate series of regulations to aid in preserving the rural lifestyle of Davie. Staff also met with the Agricultural Advisory Board, as well as with interested property owners, to accommodate their concerns within the scope of regulations.

A strategy, entitled the Rural Lifestyle Initiative, resulted from the workshops and includes the following:

- Design and architectural guidelines
- Scenic corridors
- Open space design
- Land trust



Town Council: Mayor Harry Venis, Vice Mayor Geri Clark **Councilmembers:** Judy Paul, Susan Starkey, Tom Truex

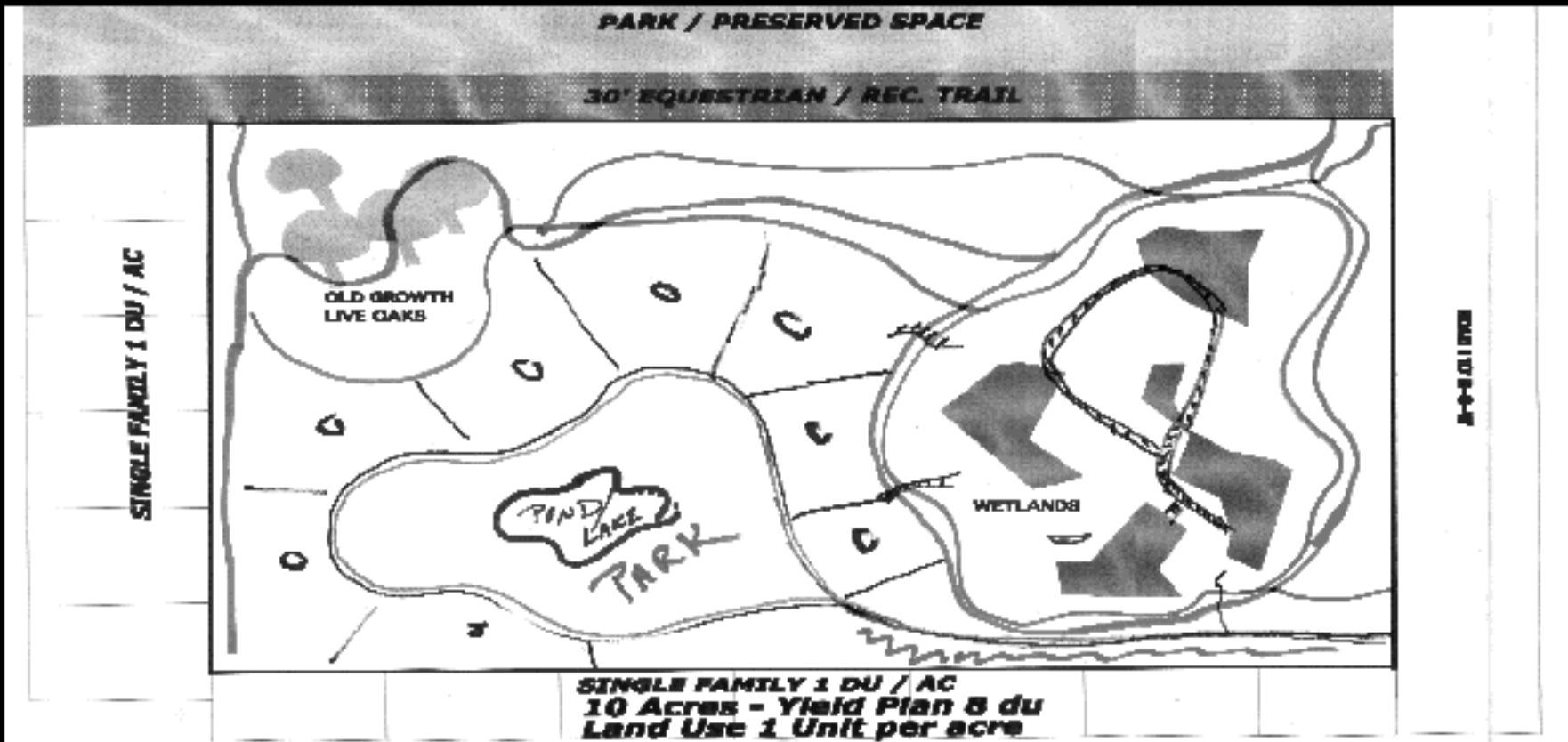


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Open Space Workshops Held



This is an example of the exercise done at the hands-on workshop. See page 3 for more information.

To implement the proposed Rural Lifestyle Initiative, amendments to the Town's Land Development Regulations are required. Amendments to the Town's regulations are proposed to address the AG (Agricultural), A-1 (Agricultural), and R-1 (Estate Dwelling) zoning districts. The proposed ordinance would regulate development in Davie through specifying type, color, and placement of fences; use of guardhouses; the modification of the minimum lot size for the AG zoning district; and use of Florida Vernacular Architecture. The ordinance also revises portions of the landscape code to require more native plant material and the establishment of scenic corridors. In addition to these proposals, an Open Space Design Overlay is proposed, which would provide for large acres of open space in exchange for smaller lot sizes.

An explanation and description of each of the proposed four strategies, design and architectural guidelines, scenic corridors, open space design overlay, and land trust may be found on the following pages.

Topics discussed at the May 14, 2002, workshop included:

What is open space?

Open space is thought of as the areas under developed at the edge of a community. Davie has a traditional town center, and development has occurred from the center outward. The edges of the Town are now the sites for houses, and the open space that is not protected is quickly disappearing.

What is open space design?

Open space design is a technique allowing for flexible lot sizes in exchange for substantial open space and natural resource land. Open space design is characterized by:

- ▲ A flexible design based on the natural attributes of each individual parcel.
- ▲ A variation in housing styles based upon the needs of the community.
- ▲ An interactive process with the Town staff representing the values of the Town.
- ▲ A creative and innovative site design process, not a cookie-cutter approach.

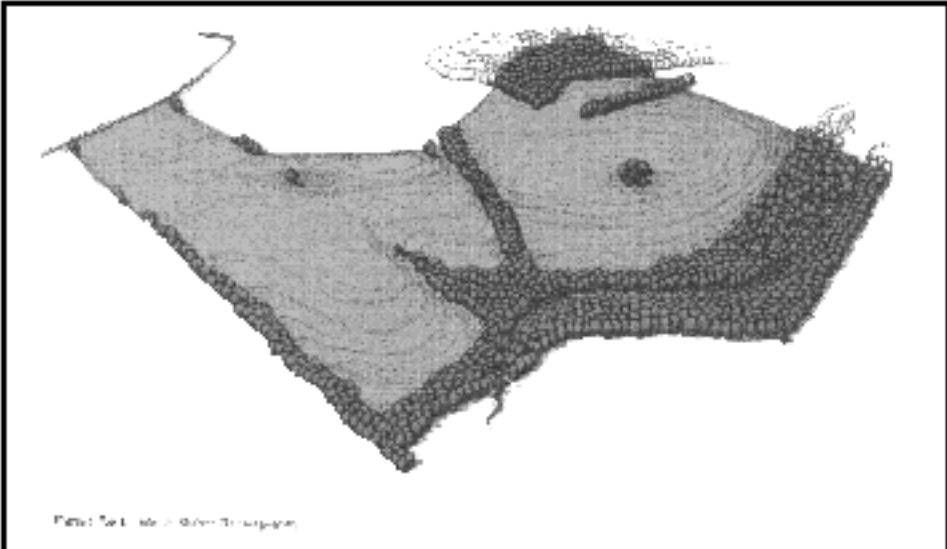
What is not open space design?

- ▲ Increased density
- ▲ Decreased housing quality
- ▲ Unregulated land use

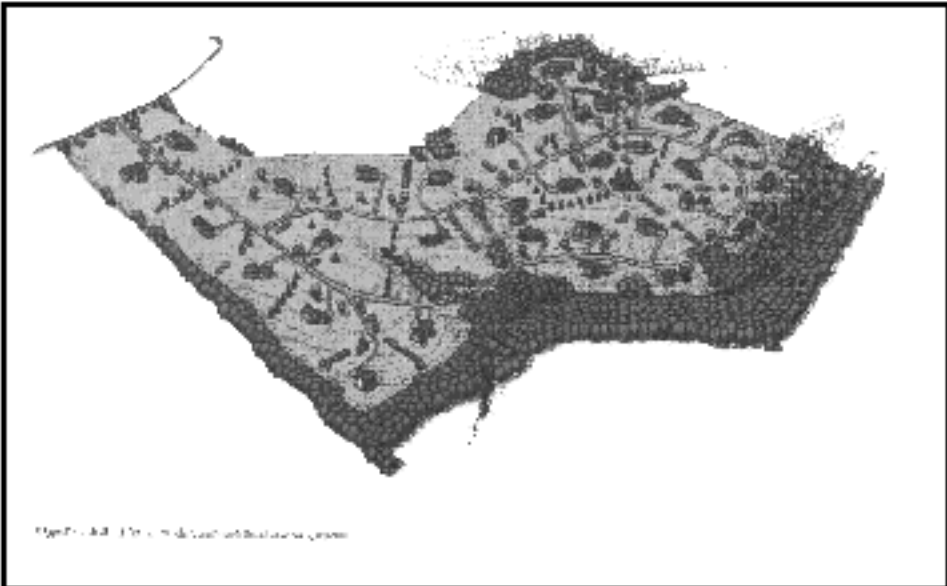
What is the open space design process?

The open space design process consists of six steps:

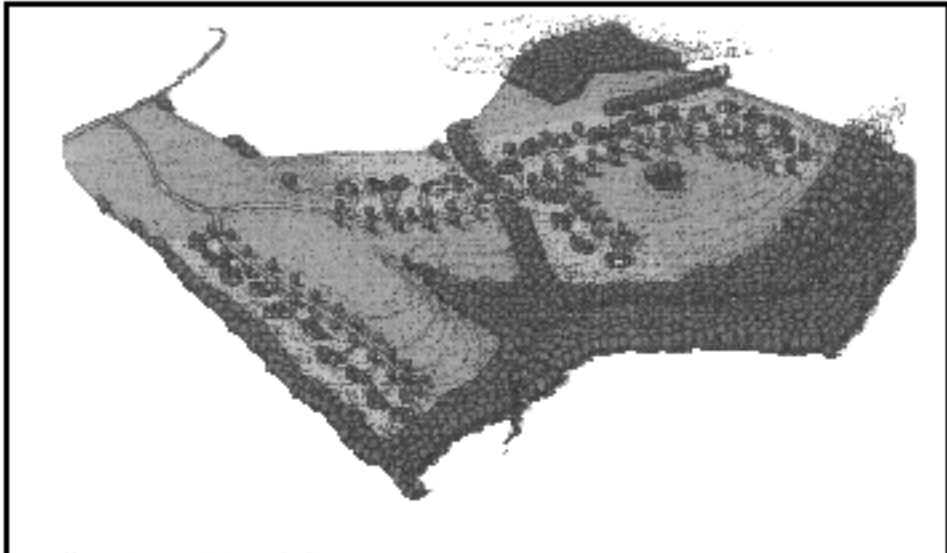
1. Yield Plan – The actual number of units which can be obtained by a developer under the existing suburban-style development pattern. This number becomes the total density allowed on-site.
2. Sensitive Land Analysis – The review of a submitted survey identifying all protected natural resources, as well as other valuable natural features on a particular site.
3. Development Areas – Identify areas where development may occur, areas where development may not occur, and areas in between.
4. Place Houses – Identify where the houses can go.
5. Align streets and trails.
6. Draw lot lines.



Vacant Land

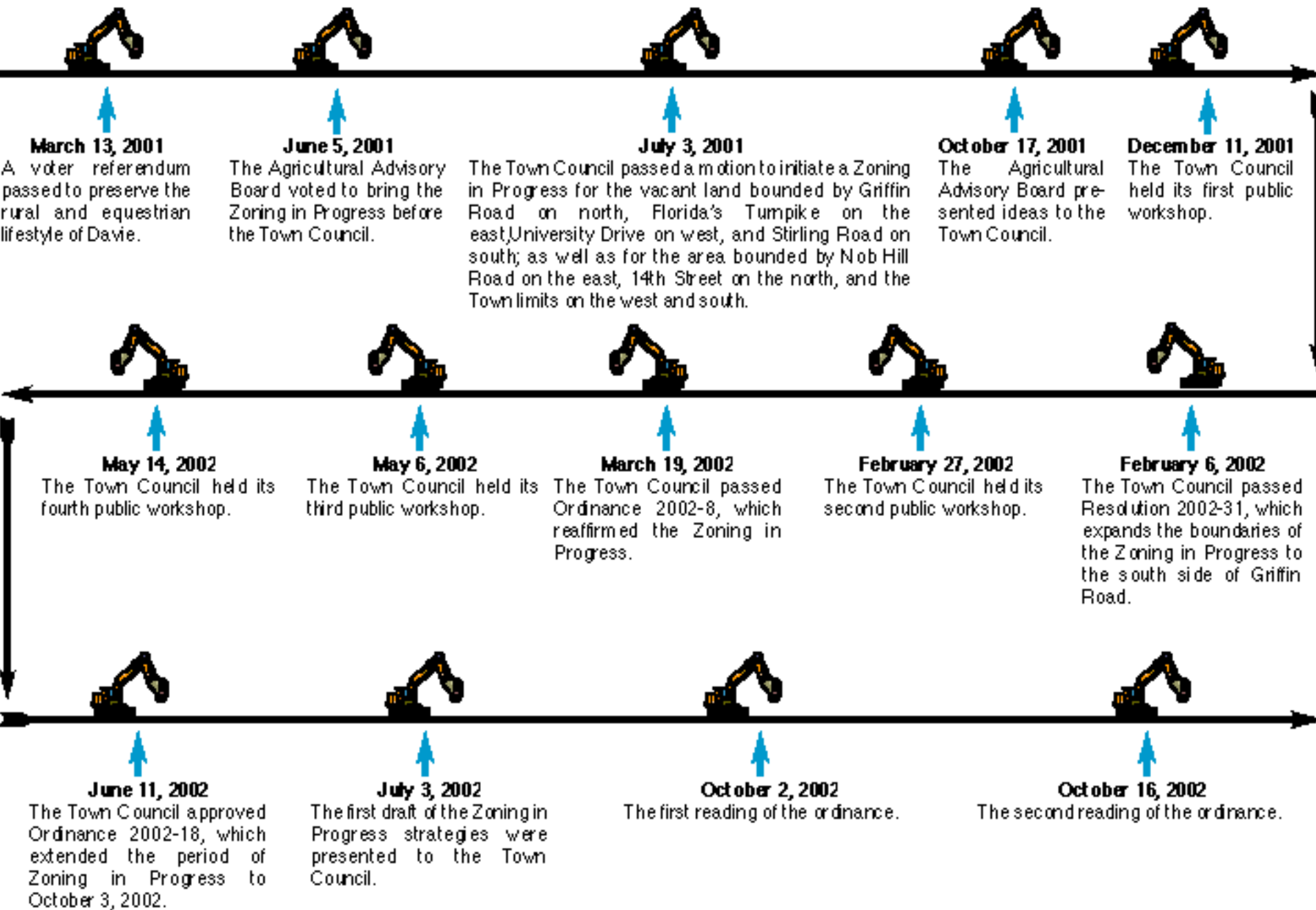


Conventional Development



Open Space Design

Zoning in Progress Timeline



Conservation Easements and Land Trusts

What is a conservation easement?

A conservation easement is a legal agreement that is entered into voluntarily by a property owner and a qualified conservation organization. Conservation easements contain permanent restrictions on the use of development of land in order to protect the land's conservation values. The conservation easement is filed with the local county records.

A qualified conservation organization may be a governmental agency or a nonprofit conservation organization.

Conservation easements are perpetual; they apply to the current landowner and all future landowners, permanently protecting the property.

Several means of protecting the existing rural farms of the Town of Davie are available. The most viable option at this time is the creation of a nonprofit entity separate from the Town called a Davie Land Trust.

Land trusts have several alternatives available for a property owner to allow farmland and other undeveloped land to remain in their current state. These alternatives include the creation of conservation easements or the outright purchase of development rights.

The benefits to creating a land trust include access to foundation moneys for conservation easements and the purchase of development rights for which local governments are usually not eligible, as well as federal and state grants.

What is a land trust?

- ▲ Land trusts are instruments used in protecting land.
- ▲ A land trust is an arrangement whereby one person (the trustee) holds both legal and equitable title to real estate and holds it for the benefit of another party (the beneficiary). The land trust transforms the equitable interest in the land into an interest in personal property.
- ▲ To form a Florida land trust, two conditions in Florida Statute, Section 689.071, must be met. Those requirements are: (a) that an instrument conveys an interest in real property to a trustee without naming the beneficiaries and (b) that the trustees be given certain powers to deal with the property. Once these requirements have been fulfilled, the trust is entitled to the benefits of the land trust statute.
- ▲ There are two documents necessary for a land trust. These include a deed, which contains the proper language, and a trust agreement.

- ▲ There is no public record of the owners of a land trust. The trustee is listed as the owner, and only he or she knows who the beneficiary is.
- ▲ A Florida land trust does not file any tax returns. For tax purposes, the trust is disregarded, and all taxable activities of the trust are reported on the returns of the beneficiaries.
- ▲ Land trusts are local, state, or regional nonprofit organizations directly involved in protecting land for its natural, recreational, scenic, historical, or productive value. Most land trusts are private nonprofit corporations. There are also a few governmental or quasi-governmental bodies called land trusts that operate with the freedom and the flexibility of a private trust.
- ▲ Some land trusts purchase or accept donations of land or of conservation easements. Some manage land owned by others or advise landowners on how to preserve their land. Some land trusts help negotiate conservation transactions in which they play no other role.
- ▲ Land trusts work cooperatively with government agencies by acquiring or managing land, researching open space needs and priorities, and assisting in the development of open space plans.
- ▲ Resources protected by land trusts include forests, urban gardens, farmland, parklands, marshes, ranch lands, hiking trails, and cultural landscapes.

A drawback to land trusts

There may be possible problems obtaining a homestead tax exemption when property is in a land trust.

Solutions

- ▲ Give a life estate to the person claiming homestead.
- ▲ Recite in the body of the deed that the person claiming homestead has the right to the use and possession of the property for his natural life.

Standards involved in a land trust

- ▲ A land trust must have a clear purpose and goal.
- ▲ The board of directors must assume legal responsibility and accountability for the affairs of the organization.

- ▲ A land trust must have help from a sufficient number of volunteers, consultants, and in many cases, paid staff with the appropriate skills to carry out its program.
- ▲ A land trust must be selective in choosing land-saving projects.
- ▲ A land trust must select the best available method for protecting each property.
- ▲ A land trust must know the property it protects.
- ▲ A land trust must carry out a program of responsible stewardship for its easements.

What are some benefits to a conservation easement?

The benefits of a conservation easement to landowners include:

- ▲ Landowners retain title to their property and continue to live on it or to pass it on to their heirs, knowing that it will always be protected.
- ▲ Easements may eliminate or reduce estate taxes, preventing the forced sale of properties.
- ▲ Easements are flexible, adapted to the particular needs of the landowner and the resources of the property.
- ▲ Easements can reduce the potential for disagreement among family members when lands are passed on to the next generation.
- ▲ Easements offer a permanent protection, applying to all future landowners

What are the drawbacks to a conservation easement?

The drawbacks include:

- ▲ While conservation easements can prevent development of agricultural land, they do not ensure that the land will continue to be farmed.
- ▲ Agricultural conservation easements must be drafted carefully to allow farmers to adapt and to expand their operations and farming practices to adjust to changing economic conditions.
- ▲ Donating an easement is not always a financially viable option for landowners.
- ▲ Monitoring and enforcing conservation easements require a serious commitment on the part of the easement holder.
- ▲ Conservation easements do not offer protection from eminent domain.



Scenic Corridors defined within the Town of Davie

Scenic Corridors

The Town Council identified nine roadways within the Town of Davie as rural in nature.

What is a scenic corridor?

A scenic corridor consists of a buffer area located adjacent to each side of a roadway. The intent of a scenic corridor is to preserve and to enhance the rural character and scenic qualities along a roadway within the Town of Davie. Design standard details are proposed which specify permitted uses, landscape material, and signage requirements.

What nine roadways are designated as scenic corridors?

- ▲ Flamingo Road
- ▲ Shotgun Road
- ▲ Boyscout Road
- ▲ Peaceful Ridge Road
- ▲ Hiatus Road
- ▲ Davie Road
- ▲ S.W. 58 Avenue
- ▲ S.W. 76 Avenue
- ▲ Orange Drive

What is the required scenic corridor buffer width?

One hundred feet on each side of Flamingo Road, Shotgun Road, and Orange Drive.

Fifty feet on each side of Boyscout Road, Peaceful Ridge Road, Hiatus Road, Davie Road, S.W. 58th Avenue, and S.W. 76th Avenue.

What uses are permitted in a scenic corridor?

- ▲ Existing agricultural buildings
- ▲ Sidewalks
- ▲ Recreational trails
- ▲ Equestrian trails
- ▲ Landscape features
- ▲ Naturally occurring vegetation and other permitted landscape material
- ▲ Fences
- ▲ Mailboxes
- ▲ Bus stops
- ▲ Entranceways
- ▲ Signs
- ▲ Roadways
- ▲ Access ways or access points, including required curbing
- ▲ Sign markings
- ▲ Traffic control devices
- ▲ Storm water retention and detention
- ▲ Underground utilities
- ▲ Streetlights and pedestrian lights

What types of materials are required for fences, mailboxes, bus stops, and entranceway features?

Natural materials or substances derived from natural materials, such as wood, stucco, stone, brick, and clay tile.

Do fences have special requirements?

Fences within the scenic corridor are intended to function as spatial locators and are not to be substantial in appearance. Fences cannot be

more than 20% in opacity

Fence colors are limited to earth tones, natural, or white.

The maximum height for a fence, mailbox, or entranceway feature is four and one-half feet.

Is lighting allowed in the scenic corridor buffer?

All external lighting is restricted to burial vaults or may be screened with cutoff shields and is not to exceed 1.5-foot candles. All entranceway features are to be internally lighted.

What type and quantity of landscaping material is required?

Minimum landscaping requirements for the scenic corridor include:

- ▲ One row of canopy street trees with the first row of canopy trees planted along a line ten feet back from the right-of-wayline.
- ▲ Street trees every 40 feet.
- ▲ Three additional canopy trees per hundred feet of road frontage.
- ▲ Three additional canopy trees per eight thousand square feet of scenic corridor buffer area.

Are native plant species required in the scenic corridor?

Yes. Sixty percent of all trees in the scenic corridor are required to be native.



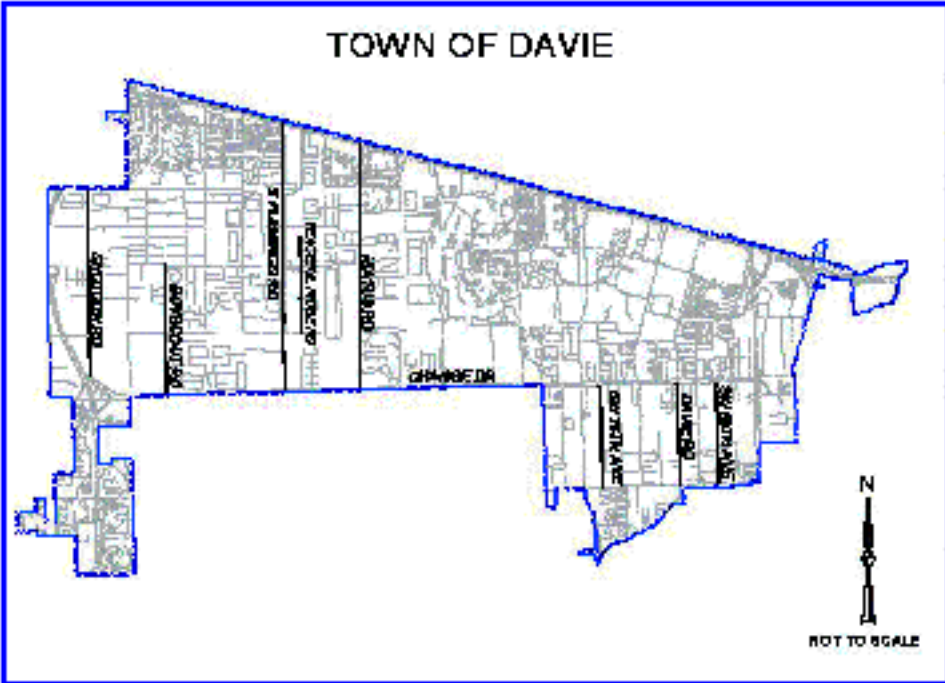
Boyscout Road



Flamingo Road



Fencing along a scenic route



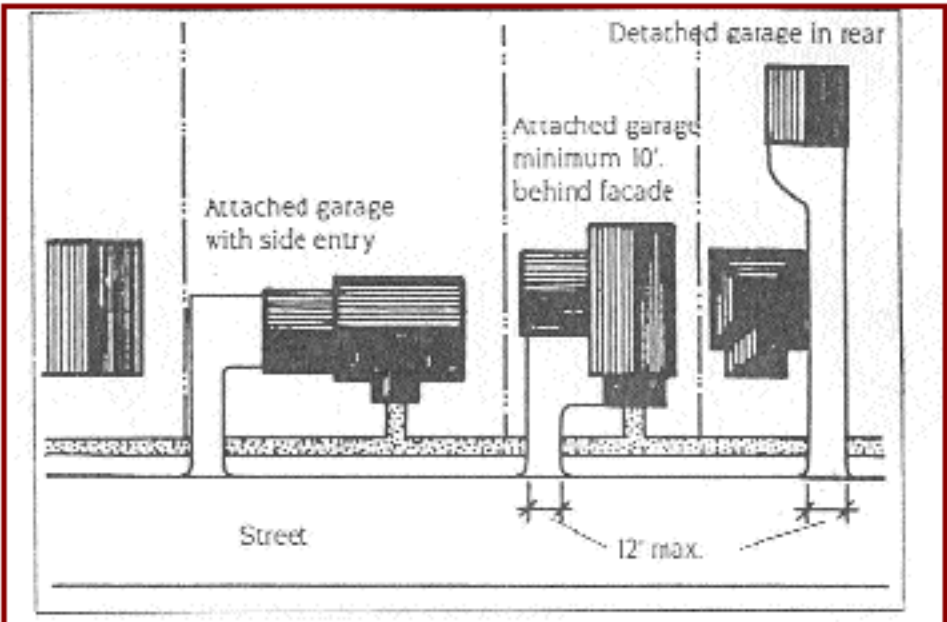
Proposed scenic corridors in Davie

Architectural Design Standards

Architectural design standards are intended to preserve the unique rural characteristics of Davie. Design standards will help to create and retain the distinctive rural character of Davie. Standards encourage architecturally varied structures through the use of building massing, varied roofscapes and window designs, ornamentation, and color.



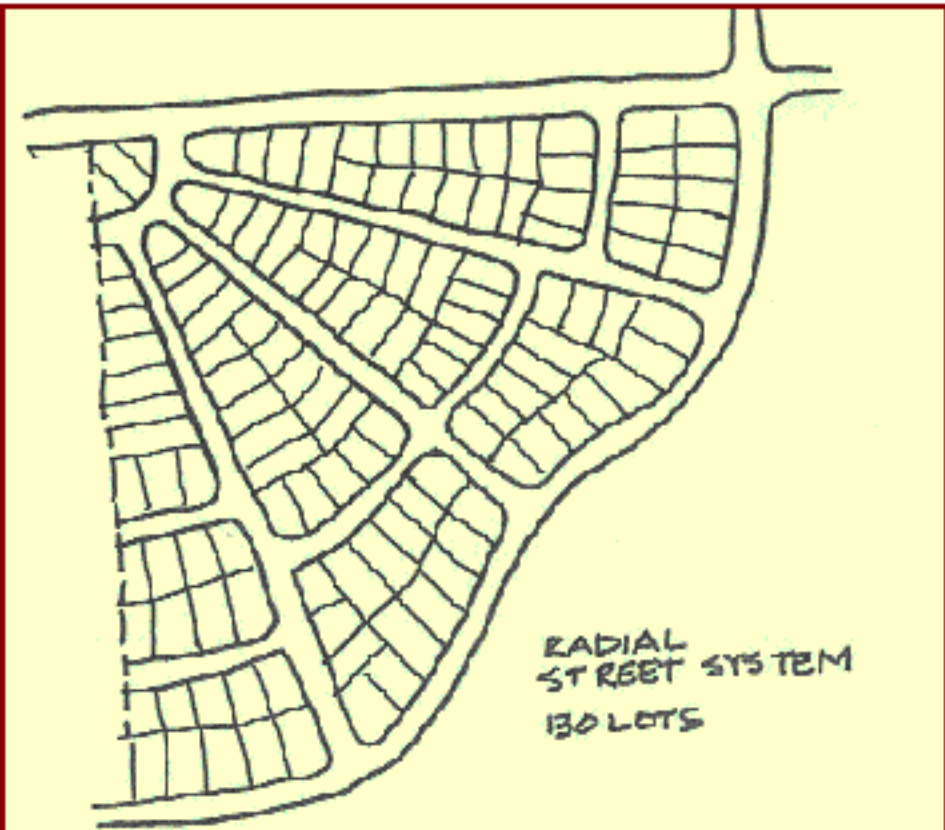
A typical garage location behind a house



Recommended garage locations



Curvilinear street pattern



Radial street pattern

Highlights of the Proposed Architectural Design Standards

- ▲ Single-family homes on a parcel zoned AG (Agricultural) will be on a full acre (43,560 sq. ft.).
- ▲ New homes will be oriented toward the street, and the front doors will face the street.
- ▲ Garages - 50% of homes with a garage in a development will have the garage located at the rear of the house or oriented to the side.
- ▲ Front porches, verandas, and bay or garden windows will be allowed in the front yard setback.
- ▲ No more than 20% of all new homes may be located on a cul-de-sac and dead-end streets.
- ▲ Traffic-calming devices will be provided through use of curvilinear roadways and roundabouts.

Questions and Answers

How will the Rural Lifestyle Initiative (RLI) and the Davie Land Trust (DLT) affect me?

While participation in the DLT is totally voluntary, its effects should be felt by our whole community. The main goal of both the RLI and the DLT is to preserve the rural lifestyle we cherish here in the Town of Davie.

Is this just a case of more government in my life?

No. It is important to note that the DLT is a not-for-profit entity which is completely separate from the local government. The DLT will have its own board of directors whose job it will be to formulate guidelines and rules for the DLT.

My land has a zoning and land use designation of one dwelling unit per acre. Does this stop me from achieving the maximum density allowable?

The maximum density permitted by the Town's land use plan is not a guarantee of the total number of units allowed on a parcel. Development must take into account required regulations for storm water and streets, as well as recreation and open spaces.

What is open space?

Open space is any land used primarily for resource protection. It is used for agricultural purposes

when agricultural products are not sold on-site, recreational purposes, or areas otherwise left undisturbed, and it specifically excludes road rights-of-way, both public and private. Open space also includes land for the preservation of natural areas and landscaping buffers adjacent to road rights-of-way.

I like the idea of scenic corridors. Does this change the number of lanes for the roadways?

No. The scenic corridor provides for the use of trees to create a sense of livability and community.

Can this "land trust" just come to take my land?

No. Participation is totally voluntary. Of course, we hope you will agree that this is such a great idea that you will want to contribute land to the trust, so we may protect parts of Davie from ever-growing development pressure.

How is the Town of Davie getting the money to do this? Will my local taxes increase?

No. Your local taxes should not be affected since this is a private, not-for-profit organization, separate from the Town of Davie. The Davie Land Trust will be competing for state and federal grants to procure the funds necessary for the operation of the land trust. There are also numerous programs

sponsored by the United States Department of Agriculture to assist with the preservation of open space in Davie.

While I think this is a good idea, I am not sure whether it will work. Is there any proof it will work?

There are more than 1,200 local and regional land trusts in the United States dedicated to the preservation of open spaces, and nearly 1 million people are supporters and members of land trusts. Furthermore, through a series of workshops, the Town of Davie, with the assistance of the Florida Stewardship Foundation, determined that a conservation easement program would be feasible.

This all seems so sudden. Why was I not asked how I feel about this?

The Davie Town Council held four advertised workshops where residents could come to have their opinions heard.

The Rural Lifestyle Initiative, land trusts, conservation easements! I am totally confused. Is there somewhere I can go, or is there someone I can speak with to learn more?

Please contact the Planning and Zoning Division at (954) 797-1103 for additional information.



Public Hearing Notice
October 16, 2002 at 7 p.m.
Davie Town Hall (6591 Orange Drive)
 Second Reading and Adoption
 for
 Land Development Regulations
 to implement the
Rural Lifestyle Initiative

Town Council Perspective

Two ordinances that relate to the issues in this special edition of the Davie Update were passed on first reading at the October 2, 2002, Town Council meeting: (1) Land Development Regulations, which was passed, 5 - 0, and (2) Open Space Design Overlay, which was passed 3 - 2, with Councilmembers Truex and Starkey dissenting.

For an individual Town Councilmember's perspective on any of these issues, contact him/her via E-mail at:

Mayor Harry Venis ▲▲▲▲▲ hary_venis@davie-fl.gov
 Vice Mayor Geri Clark ▲▲▲▲▲ geri_clark@davie-fl.gov
 Councilmember Judy Paul ▲▲▲ judy_paul@davie-fl.gov
 Councilmember Susan Starkey ▲▲ susan_starkey@davie-fl.gov
 Councilmember Tom Truex ▲▲▲ tom_truex@davie-fl.gov
 Councilmember Tom Truex's personal webpage is www.davie.org.

• *Davie Update Editor: Braulio N. Rosa*
Phone: (954) 797-1076
Fax: (954) 797-2078
Email: braulio_rosa@davie-fl.gov

• *Special thanks to Debby Ross for providing materials and photos.*